



Appeal Decision

Site visit made on 25 September 2017

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 October 2017

Appeal Ref: APP/R5510/D/17/3179403

35 Shakespeare Avenue, Hayes UB4 0BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Rajinder Jheeta against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 29765/APP/2017/642, dated 22 February 2017, was refused by notice dated 19 April 2017.
 - The development proposed is a single storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised by this appeal is the effect the proposed extension would have on the character and appearance of the host property and the area.

Reasons

3. The appeal property is a semi-detached house situated on a corner plot in an area characterised by semi-detached dwellings. It has been extended previously with a two storey side extension and single storey extension which wraps around this to the front, side and rear. The proposed side extension would largely occupy a gap between the side of the existing single storey extension and Spencer Avenue, the street which runs alongside the property. The flank wall of the proposed extension would be situated just behind a tall brick wall which marks the boundary in the vicinity of the flank elevation.
4. Combined with the existing extensions, the proposal would result in the property having a wide and somewhat sprawling appearance at the front, appearing large even in the context of other extended properties nearby. Its proximity to Spencer Avenue would have an enclosing effect on that side of the road, in contrast to the extended property on the other side of Spencer Avenue, 37 Shakespeare Avenue, and that diagonally opposite across the junction, 18 Shakespeare Avenue, whose ground floor extensions are set back from their side boundaries. I note that in allowing an appeal¹ for the extension at No 37 the Inspector observed that in that case the scheme would maintain a sense of spaciousness around the junction.

¹ APP/R5510/D/15/3003323.

5. Whilst the spaciousness at corners created by the flanks of houses being set away from perpendicular streets is not necessarily the defining character of the area, it nevertheless makes a positive contribution to its suburban character and avoids a cramped or unduly enclosed character or appearance at prominent junctions. As well as the appeal site in its current configuration, Nos 18 and 37 maintain gaps between their flank elevations and the adjoining roads. Whilst an extension at 16 Shakespeare Avenue directly opposite abuts the road, the other three corners of the junction display a degree of spaciousness, and consequently largely preserve this sense of spaciousness.
6. The proposed arrangement would undermine this feature leading to a cramped appearance. Whilst the extension at No 16 does form part of the established streetscene it only features on one of the four corners and I have also noted the circumstances leading to its retention following an appeal². I do not consider that the relationship of existing buildings around the junction is such that the proposal would appear acceptable or harmonise with the existing streetscene. As a result of the extensive combination of extensions the proposal would fail to harmonise with the scale, form, architectural composition and proportions of the original building and it would not make a positive contribution to the local area in terms of layout, form and scale.
7. As such the proposal would fail to accord with the requirements of Local Plan³ Policy BE1 or saved UDP⁴ Policies BE13 and BE15. Whilst saved UDP Policy BE19 seeks to ensure that development in residential areas improves the amenity and character of the area the supporting text indicates that this is more focused on neighbours' living conditions and is therefore less pertinent to the main issue of this appeal.
8. I have had regard to the Council's guidance for extensions⁵. Whilst the proposal would be slightly closer to the boundary than the guidance's recommended 0.25m setback, the purpose for this is to ensure any overhanging guttering does not encroach onto any neighbouring land. The proposed configuration would be unlikely to overhang the adjoining footway. Although the Council have referred to its guidance on corner plots at paragraph 5.3, I note that this relates to two storey and first floor extensions, circumstances not engaged by the appeal proposal. Nevertheless, even though there would not be any significant conflict with this guidance, this does not alter the harm or conflict with development plan policy I have identified.
9. I have noted the other examples of older single storey extensions at 36 and 55 Shakespeare Avenue. However I have considered the appeal on its own merits and in particular in the context of the established character and appearance at the junction of Shakespeare and Spencer Avenues and Milton Close and these other developments do not lead me to consider that the appeal proposal would be acceptable.
10. I have taken into account the appellant's requirements for additional accessible ground floor accommodation. In doing so I have had due regard to my responsibilities under the Equality Act 2010. I can appreciate that the proposed extension would provide the convenience and space which would

² APP/R5510/C/14/2214768, etc.

³ Hillingdon Local Plan: Part 1 – Strategic Policies, 2012.

⁴ London Borough of Hillingdon Unitary Development Plan (UDP), 1998.

⁵ Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential Extensions, 2008.

enable the appellant to enjoy living in the house with her family. However, whilst I have sympathy with the appellants' situation and needs, there is very little evidence to suggest that they could only be addressed in the form or configuration of the proposal before me. I do not, therefore, consider that these personal circumstances would outweigh the harm identified above.

Conclusion

11. For the above reasons, the proposal would materially harm the character and appearance of the host property and the area, contrary to the development plan. The appeal is therefore dismissed.

Geoff Underwood

INSPECTOR